

BILL ANALYSIS

Senate Research Center

S.B. 1454
By: Lucio
Intergovernmental Relations
3-21-97
As Filed

DIGEST

Currently, actions taken by a city may be validated by statutes passed by the Texas Legislature. However, some cities may be prohibited from validating actions if certain procedural requirements are not met in the validation process. This bill allows a city to validate certain actions taken by the city although procedural irregularities may have occurred when the city acted.

PURPOSE

As proposed, S.B. 1454 allows a city to validate certain actions taken by the city although procedural irregularities may have occurred when the city acted.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 28, Revised Statutes, by adding Article 974d-45, as follows:

Art. 974d-45. GENERAL MUNICIPAL VALIDATION

Sec. 1. APPLICATION. Provides that this article validates only certain governmental acts or proceedings.

Sec. 2. MATTER VALIDATED, INCLUDING CHARTER, INCORPORATION, AND ANNEXATION. Requires all governmental acts and proceedings of a municipality to be validated as of the dates on which they occurred. Sets forth requirements relating to the validation of a governmental act or proceeding.

Sec. 3. SUBSEQUENT ACT OR PROCEEDING VALID. Prohibits a governmental act or proceeding of a municipality occurring after an act or proceeding validated by this article from being held invalid on the ground that the prior act or proceeding, in absence of this article, was invalid.

Sec. 4. EXCEPTIONS TO VALIDATION. Sets forth ordinances and governmental acts or proceedings which this article does not validate.

Sec. 5. EFFECT OF LITIGATION. Sets forth litigation and judgment matters to which this article does not apply on the effective date of this article.

SECTION 2. Emergency clause.
Effective date: upon passage.